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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,769	08/05/2003	Todd W. Goforth	IGT1P095/P000813-001	1651

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EXAMINER	
WONG, JEFFREY KEITH	

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
01/07/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@wavsip.com

Office Action Summary	Application No.	Applicant(s)	
	10/635,769	GOFORTH ET AL.	
	Examiner	Art Unit	
	Jeffrey K. Wong	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20 and 23-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20, 23-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of the Application

1. This Office-Action acknowledges the Amendment filed on 9/22/2009 and is a response to said Amendment.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 9-13, 15-17, 19-20, 23, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose, PGPUB 2004/0161115 (Loose)

Regarding Claim 1.

Loose teaches a wager-based gaming machine comprising: one or more speakers(para 21); a master gaming controller adapted to process and facilitate the presentation of a wager- based game(para 3); a digital sound system comprising: at least one memory unit storing data(para 7), wherein said data comprises one or more wave files, one or more sets of wave table data, or both (para 21. While Loose does not explicitly teach of wave files, it is implied that the stored data comprises wave files), and a digital signal processor configured to produce audio output for said one or more

speakers(para 7), wherein said digital signal processor is adapted to perform at least one function selected from the group consisting of generating original audio output and modifying existing sound files(para 7); a programmable logic device interposed between the master gaming controller (fig 3) and the digital sound system such that said digital signal processor is unable to communicate directly to said master gaming controller(para 28. In this case, the CPU communicates with the digital sound system through elem 32. It can be implied that the interface may be any suitable interface such as a programmable logic device can receive instructions. It is also well known that interfaces can comprise of programmable logic devices.); and wherein said programmable logic device converts instructions from said master gaming controller to instructions that can be executed by said digital signal processor(para 37).

Regarding Claims 2, 15, 19.

Loose teaches wherein the programmable logic device forms an event sequencer interposed between the master gaming controller and the digital signal processor (para 37. elem 32 can be viewed as an event sequencer since an event sequencer can receive instructions)

Regarding Claims 3, 13.

Loose teaches wherein said digital signal processor is configured to alter musical or tonal parameters while a sound file is playing(para 28. DSPs can be used to alter

musical or tonal parameters).

Regarding Claim 4, 23.

Loose teaches wherein said digital signal processor is configured to synthesize music in real-time(para 28. DSPs can be used to synthesize music).

Regarding Claim 9, 27.

Loose teaches wherein said digital sound system comprises additional memory for storing audio processing algorithms for execution on the digital signal processor(para 14).

Regarding Claim 10, 28.

The gaming machine of claim 1, wherein said event sequencer is installed in a manner that prevents the digital signal processor from effecting operation of the master gaming controller(para 28).

Regarding Claim 11.

Loose teaches a wager-based gaming machine, comprising:

a central processing unit (para 7) adapted to process and facilitate the presentation of a wager- based game(para 3); a programmable logic device separate from and connected to said central processing unit(fig 3 and para 28); and a digital signal processor adapted to generate and control digital output(para 7), said digital signal processor being

separate from and connected to said programmable logic device(fig 3), wherein said programmable logic device is interposed between said central processing unit and said digital signal processor(fig 3), such that said digital signal processor is unable to communicate directly to said central processing unit(para 28), and wherein said programmable logic device converts instructions from said central processing unit to instructions that can be executed by said digital signal processor(para 37).

Regarding Claim 12.

Loose teaches wherein said digital signal processor is adapted to generate and control audio output for one or more speakers(para 7).

Regarding Claim 16, 20.

Loose teaches wherein said central processing unit comprises a master gaming controller(para 7. The CPU is used for controlling the game system).

Regarding Claim 17.

Loose teaches a method of providing sound in a wager-based gaming machine, comprising(Abstract): providing a central processing unit (para 7) adapted to process and facilitate the presentation of a wager-based game(para 3); providing a programmable logic device separate from and connected to said central processing unit(fig 3); providing a digital signal processor adapted to generate and control audio output for one or more speakers(para 7), said digital signal processor being separate

from and connected to said programmable logic device(fig 3); interposing said programmable logic device between said central processing unit and said digital signal processor(fig 3), such that the digital signal processor is unable to communicate directly to the central processing unit(para 28); and programming said programmable logic device to convert instructions from said central processing unit to instructions that can be executed by said digital signal processor(para 37).

Claims 5-8, 14, 18, 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose, PGPUB 2004/0161115 (Loose) in view of Loose et al., PGPUB 2003/0100359 (Prezby).

Regarding Claims 5, 14, 18.

Loose failed to teach wherein said digital signal processor is configured to provide audio output tailored to a player currently using the gaming machine.

However, Pryzby teaches of a slot game where audio can be tailor to a player using the machine based on their recorded voice (para 45) as means of generating an enhanced audio output which will attract frequent play and generate more excitement associated with the game (para 4)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporating the tailored audio output of Pryzby's teachings with Loose's invention as means of attracting more frequent play and generating more excitement associated with the game as taught by Pryzby.

Regarding Claim 6, 24.

Pryzby also teaches wherein said audio output is tailored by at least one or more parameters selected from the group consisting of language selection, gender selection, accent selection, and style selection(para 40-41. In this case, the style selection can be viewed as the music style being played upon a player's response).

Regarding Claim 7, 25.

Pryzby also teaches wherein said digital signal processor is configured to recognize speech used by a player at or near the gaming machine(para 40).

Regarding Claim 8, 26.

Pryzby also teaches wherein said digital sound system further comprises a microphone, as well as speech recognition logic implemented on the digital signal processor(para 41).

Response to Arguments

3. Applicant's arguments, see page 10, filed 9/22/2009, with respect to the rejection(s) of claim(s) 1-28 under U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Loose, PGPUB 2004/0161115.

4. Applicant's arguments filed 9/22/2009 have been fully considered but they are not persuasive. Applicant alleges that:

"It is noted that several claim features were not found by the Examiner in the references, but instead it was asserted that their existence could be implied. "It can be implied that the interface may be any suitable interface such as an event sequencer," page 3. However, it is not seen how Loose implies that interface 32 is a programmable logic device of claim 1 or an event sequencer of claim 2. Regardless of what can be implied, the question is whether Loose disclosed the features of claim 1 for which it was cited. Loose does not appear to have disclosed a programmable logic device, either explicitly or implicitly."

The Examiner disagrees. Loose discloses how interface 32 places instructions from the main CPU 16 in a proper format for the DSP 34. A programmable logic device and an event sequencer are known for receiving instructions and placing them in proper format for use. Therefore, the interface 32 encompasses the limitations disclosed. Also, interfaces can comprise of programmable logic devices and can be an event sequencer.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey K. Wong whose telephone number is (571)270-3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Primary Examiner, Art Unit 3714

JKW